

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of
Bednasz

Serial No.: **10/829,637**

Filed: **April 22, 2004**

For: **Hands-Free Reminder for a Wireless
Communications Terminal**

Attorney's Docket No: **2002-060**

Mail Stop Appeal Brief-Patents
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) Patent Pending
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) Examiner: Olivia M. Marsh
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) Group Art Unit: 2616
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) Confirmation No.: 7060
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APPEAL BRIEF

This Appeal Brief is being timely filed within two months of the date the Office received Applicant's Notice of Appeal (July 10, 2006). Because September 10, 2006 falls on a Sunday, filing this brief on Monday, September 11, 2006 is considered timely, and thus, no extension of time fees should be due. The requisite fee for filing this Brief is being submitted concurrently with the electronic filing of this Brief. If additional fees are required or due for entry of this Brief, the Commissioner is authorized to charge them to Deposit Account No. 18-1167.

(1) REAL PARTY IN INTEREST

The real party in interest is Sony Ericsson Mobile Communications AB, the assignee of the present invention.

(2) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences to the best of Applicants' knowledge.

(3) STATUS OF CLAIMS

A total of forty-two (42) claims numbered 1-42 have been presented for examination. During prosecution, Applicant cancelled claim 14 without prejudice and the Examiner finally rejected claims 1-13 and 15-42. Accordingly, Applicant appeals the final rejection of claims 1-13 and 15-42.

(4) STATUS OF AMENDMENTS

All amendments have been entered to the best of Applicants' knowledge.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

The present invention is directed to a wireless communications device, such as a mobile terminal, that may automatically activate and deactivate a hands-free only mode of the device based on a two-part decision. The first part of the decision requires determining whether the device is currently located proximate a known "hands-free zone" (i.e., a geographical area such as a jurisdiction that requires the use of a hands-free device while driving a vehicle). *E.g.*, *Spec.*, ¶¶ 0020-0022, 0030; Figure 4. The second part of the decision requires determining the current velocity of the device. *E.g.*, *Spec.*, ¶ 0023. If the device is within or near a known hands-free zone and the device is moving at a velocity that exceeds a predetermined speed, a controller in the device may activate the hands-free mode. *E.g.*, *Spec.*, ¶ 0030, Figures 1, 4. When the device exits the hands-free zone, or when the velocity of the device falls below the predetermined threshold, the controller in the device may deactivate the hands-free mode. *E.g.*, *Spec.*, ¶ 0027, 0029-0030; Figures 1, 4.

Activating the hands-free only mode in accordance with the present invention may be accomplished in a variety of situations. By way of example, the controller may activate the

hands free only mode whenever the user places or receives a call. *Spec.*, ¶ 0030. In another embodiment, the controller may activate the hands-free only mode whenever the mobile terminal registers with or hands off to a particular base station proximate a hands-free jurisdiction. *Spec.*, ¶ 0031.

(6) GROUNDS OF REJECTION

The Examiner finally rejected claims 1-9, 14, 16, 19-23, 30-31, 33-34, and 39-41 under 35 U.S.C. §103(a) as being obvious over Willner (U.S. Pat. App. Pub. No. 2003/0032434, hereinafter "Willner") in view of Furuta (JP 2002-176678, hereinafter "Furuta").

The Examiner finally rejected claims 10 and 15 under 35 U.S.C. §103(a) as being obvious over Willner in view of Furuta, and in further view of Lewis (U.S. Pat. App. Pub. No. 2004/0033820, hereinafter "Lewis").

The Examiner finally rejected claims 28-29, 35, and 32 under 35 U.S.C. §103(a) as being obvious over Willner in view of Furuta, and in further view of Hunzinger (U.S. Pat. App. Pub. No. 2002/0086680, hereinafter "Hunzinger").

The Examiner finally rejected claims 36-37 under 35 U.S.C. §103(a) as being obvious over Willner in view of Furuta, and in further view of Joyce (U.S. Pat. App. Pub. No. 2003/008661, hereinafter "Joyce").

(7) ARGUMENTS RELATING TO THE §102(e) GROUND OF REJECTION

A. Willner and Furuta, alone and in combination, fail to render independent claim 1 obvious.

Claim 1 is directed to a mobile terminal having a hands-free device, such as a headset, that enables a user to communicate with a remote party in a hands-free mode. A controller in the mobile terminal is configured to determine both a current location and a velocity of the mobile terminal. If the controller determines that the velocity of the mobile terminal exceeds a predetermined speed and that the mobile terminal is currently located proximate a "hands-free

zone” (e.g., a jurisdiction that outlaws cell phone use while in a traveling vehicle), the controller activates the hands-free only mode for the user. If the velocity falls below the predetermined speed while proximate the hands-free zone, the controller deactivates the hands-free only mode. For reference, claim 1 appears below in its entirety.

1. A mobile terminal comprising:
 - a transceiver to transmit signals to and receive signals from a wireless communications network;
 - a hands-free device to allow the user to place and receive calls in a hands-free only mode; and
 - a controller operatively connected to the transceiver and the hands-free device, and configured to:
 - determine whether a mobile terminal is proximate a hands-free zone;
 - indicate to the user whether the mobile terminal is proximate the hands-free zone based on a current location of the mobile terminal;
 - determine a velocity of the mobile terminal;
 - activate the hands-free only mode to permit the user to place and receive calls using the hands-free device if the velocity of the mobile terminal is greater than a predetermined threshold while the mobile terminal is proximate the hands-free zone; and
 - de-activate the hands-free only mode to permit the user to place and receive calls without using the hands-free device if the velocity of the mobile terminal is not greater than a predetermined threshold while the mobile terminal is proximate the hands-free zone.

Claim 1 requires the marriage of two pieces of information when deciding whether to activate the hands-free only mode – location and velocity. Knowing both components permits the controller of claim 1 to discern whether a user is driving through a hands-free zone in a vehicle (in which case the device would activate the hands-free mode), as opposed to walking down the street within the hands-free zone (in which case the device would not activate or deactivate the hands-free only mode).

The Examiner rejected claim 1 as being obvious over Willner in view of Furuta. Both Willner and Furuta disclose controllers that may place a wireless device in a hands-free mode. Particularly, Willner teaches feeding a current location of a wireless device to a requirement controller 400 disposed in the network. The requirement controller compares the current location against a location-dependent requirement database 500 to determine which jurisdiction the wireless device is currently located in. The requirement controller then determines and

sends the local laws of that jurisdiction to the wireless device so that the user may comply with the local laws. *E.g.*, *Willner*, p. 3, ¶¶0032-0039; Figures 2, 4. *Willner*, as the Examiner admits, never considers velocity when deciding whether to place the wireless device in the hands-free mode. For this teaching, the Examiner cites *Furuta*.

Furuta teaches radio equipment in a vehicle that links communicatively to a mobile phone. A base station in *Furuta* tracks a velocity of the vehicle, and sets a “hands-free” flag in memory of the mobile phone “on” or “off” depending on whether the detected velocity exceeds a predetermined threshold. When the flag is “on,” the mobile phone enters a hands-free mode whenever the user places or receives a call. When the flag is “off,” the mobile phone allows the user to place or receive calls in any mode. *Furuta*, Abstract; ¶¶ 0002-0008. *Furuta* does not consider the geographic location of the mobile phone relative to a hands-free zone, and the Examiner never asserts that it does.

Neither reference, alone or in combination, teaches or suggests a wireless communications device that activates a hands-free only mode based on both the geographical location of a wireless device and on the velocity of the device. Importantly, *Willner* teaches making the decision on whether the wireless device should or should not operate in a hands-free mode based solely on the current geographic location of the wireless device. In *Furuta*, the decision on whether a mobile phone should or should not be in the hands-free mode is based solely on the velocity of a vehicle in which the mobile phone is traveling. Yet, the Examiner contends that one skilled in the art would be motivated to modify *Willner* according to *Furuta*, “to assist the mobile user in obeying laws forbidding the mobile terminal from operating while driving for safety purposes.” *Final Office Action*, p. 6, ll. 15-16. This alleged motivation to combine the references is not supported by the references.

The location-based decision of *Willner* is absolute. That is, the wireless device of *Willner* operates in the hands-free mode simply by virtue of its current location regardless of whether the wireless device is moving or at a standstill. Thus, at least the following facts are undeniable.

First, the user in Willner is already in compliance with the hands-free laws of the hands-free jurisdiction upon entering that jurisdiction. Second, the user in Willner is already “safely” operating the vehicle because the wireless device is in the hands-free mode. Given these facts, there is nothing to be gained by modifying Willner to also consider velocity as disclosed by Furuta. Indeed, the combination is meaningless because Willner already ensures both compliance with local laws and user safety using only the current geographical location of the wireless device.

The Examiner's stated position is that velocity-based entry into a hands-free mode as disclosed in Furuta is commonly known, and therefore, it would have been obvious to modify the location-based method of Willner to use velocity. However, the fact that velocity-only based methods may be known is not enough to warrant the suggested combination. The Federal Circuit has repeatedly rejected such reasoning.

As this court has stated, ‘virtually all [inventions] are combinations of old elements.’ (citations omitted). Therefore, an examiner may often find every element of a claimed invention in the prior art. If identification of each claimed element were sufficient to negate patentability, very few patents would ever issue. Furthermore, rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. Such an approach would be ‘an illogical and inappropriate process by which to determine patentability’ (citations omitted).

In re Rouffet, 149 F3d 1350, 47 U.S.P.Q.2d 1453 (Fed. Cir. 1998) (emphasis added).

What is missing from the Examiner's analysis is any motivation or suggestion to combine the references. While both references relate to a hands-free mode in a wireless device; they accomplish their goals using different methods and for different reasons. Willner uses an “absolute” geographical location-based method, while Furuta teaches an “absolute” velocity-based method. Neither reference ever hints at the method of the other. The only document that considers both the location and velocity components when deciding whether to activate or deactivate a hands-free mode is claim 1.

The Examiner has used claim 1 as “a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention.” *Id.* As seen in the quoted passage above, the Federal Circuit has long held such rejections *legally improper*. There is no motivation to combine the references as the Examiner asserts. The motivation proffered by the Examiner falls far short of the *legally sufficient* motivation required by law. As such, the §103 rejection of claim 1 fails as a matter of law and must be withdrawn.

B. Willner and Furuta, alone and in combination, fail to render independent claim 16 obvious.

Claim 16 is directed to a wireless communications system comprising a base station to communicate within a hands-free zone, a mobile site controller connected to the base station, and a mobile terminal configured to communicate with the base station in a hands-free only mode based on both the proximity of the mobile terminal to the hands-free zone and on the velocity of the mobile terminal. For reference, claim 16 appears below in its entirety.

16. A wireless communications system comprising:

- a base station to communicate within a geographical area identified as being a hands-free zone;
- a mobile site controller connected to the base station; and
- a mobile terminal to communicate with the base station in a hands-free only mode based on the proximity of the mobile terminal to the hands-free zone, and based on a velocity of the mobile terminal.

The Examiner rejected claim 16 under §103(a) over Willner in view of Furuta for substantially the same reasons as those cited above for claim 1. However, claim 16 requires the mobile terminal to communicate with the base station in the hands-free only mode based on **both** the location of the mobile terminal **and** on the velocity of the mobile terminal. Therefore, claim 16 is patentably non-obvious over the cited references for substantially the same reasons as those stated above.

C. Willner and Furuta, alone and in combination, fail to render independent claim

30 obvious.

Claim 30 is directed to a method of controlling a mobile terminal operating in a wireless communications network. Claim 30 requires activating and deactivating a hands-free only mode of the mobile terminal based on whether the mobile terminal is traveling at a velocity that exceeds a predetermined threshold speed while proximate a hands-free zone. For reference, claim 30 appears below in its entirety.

30. A method of controlling a mobile terminal operating in a wireless communications network comprising:
determining a current location of a mobile terminal;
indicating to a user whether the mobile terminal is proximate a hands-free zone based on the current location of the mobile terminal and a location indicative of the hands-free zone;
determining a velocity of the mobile terminal;
activating a hands-free only mode of the mobile terminal if the velocity of the mobile terminal is equal to or exceeds a predetermined threshold while the mobile terminal is proximate the hands-free zone; and
deactivating the hands-free only mode of the mobile terminal if the velocity of the mobile terminal is less than the predetermined threshold while the mobile terminal is proximate the hands-free zone.

The Examiner rejected claim 30 under §103(a) over Willner in view of Furuta for substantially the same reasons as those cited above for claim 1. Claim 30, however, requires activating and deactivating the hands-free only mode based on **both** the location of the mobile terminal **and** on the velocity of the mobile terminal. Therefore, claim 30 is patentably non-obvious over the cited references for substantially the same reasons as those stated above with respect to claim 1.

D. Willner, Furuta, and Lewis, alone and in combination, fail to render claim 10 obvious.

The Examiner rejected claim 10 as being obvious over Willner in view of Furuta and Lewis. Claim 10 depends indirectly from claim 1. In addition to requiring both the location and velocity components of claim 1, claim 10 further requires the controller to activate the hands-

free only mode of the mobile terminal whenever the user places or receives a call. Therefore, the controller activates the hands-free only mode when the user places or receives a call while the mobile terminal traveling at a velocity that exceeds a predetermined speed and is proximate a hands-free zone. For reference, claim 10 appears below in its entirety, as well as its intervening claim 7.

7. The mobile terminal of claim 1 wherein the controller is configured to activate the hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone.

10. The mobile terminal of claim 7 wherein the controller activates the hands-free only mode when a user of mobile terminal places or receives a call.

Even though the Lewis reference discloses a hands-free kit for a mobile phone, it is utterly irrelevant to claim 10. The kit of Lewis includes a mobile radio and an earpiece. The mobile radio includes an infra-red transmitter that periodically transmits a unique identification (ID) code to one or more corresponding infra-red receivers (i.e., photosensitive device) arranged around the earpiece. The ID code identifies the transmitter to the earpiece. The infra-red receivers on the earpiece can also receive ID codes from other sources such as transmitters associated with retail stores. *Lewis*, ¶¶ 0011, 0071-0079; Figures 1-3. The earpiece may also include a parabolic mirror to reflect at least some of the infra-red light back to the transmitter. *Lewis*, ¶¶ 0012, 0087; Figure 9. According to Lewis, the earpiece and the transmitter enter a stand-by mode to conserve power whenever they do not receive a signal or a valid ID code from the other. *Lewis*, ¶¶ 0039, 0042.

The Lewis teachings are meaningless with respect to location-based or velocity-based methods of placing a mobile terminal into a hands-free only mode. Lewis is fundamentally directed to a signaling method between a mobile radio and a hands-free headset that allows the hands-free headset and/or the transmitter to enter a stand-by state during periods of no use. This will occur regardless of the location or the velocity of the mobile radio of Lewis. Lewis has nothing to do with hands-free jurisdictions or activating a hands-free only mode when a velocity

exceeds a predetermined speed while proximate a hands-free jurisdiction to ensure that users obey local hands-free laws.

The Examiner contends that because the Lewis transmitter enters a standby mode to conserve power in the absence of a signal from the earpiece, Lewis teaches a controller that activates a hands-free mode whenever a user places or receives a call. *Final Office Action*, p. 18, ln. 19 – p. 19, ln. 2. This assertion simply contradicts what a “standby mode” is understood to be by those skilled in the art, as well as how Lewis defines that term.

Lewis teaches that one or more functions of the transmitter are disabled when it enters the standby mode. *Lewis*, p. 2, ¶0042. In other words, the transmitter “sleeps” to conserve power. A transmitter in this standby state necessarily does not activate a hands-free only mode – its functions are disabled. If anything is to be believed, the transmitter itself is deactivated, and thus, is not capable operating to activate a hands-free mode.

The Examiner simply adds Lewis because it teaches a hands-free device that enables the user to communicate in a hands-free mode. Lewis is irrelevant to location-based and velocity-based methods of activating a hands-free mode, and does nothing to remedy the shortcomings of Willner and Furuta. Moreover, the Examiner's stated reason for combining Lewis with Willner and Furuta – to conserve power – is misleading for its generality. There are an uncountable number of methods by which to conserve power – many of which disable functionality. The idea is that if the functionality is disabled, less power is used. However, this also means that the “disabled” device is not operating to activate anything. The rejection of claim 10 is based on impermissible hindsight reconstruction, and is therefore invalid as a matter of law. None of the references teaches or suggests, alone or in combination, claim 10.

E. Willner, Furuta, and Hunzinger, alone and in combination, fail to render claim 28 obvious.

Claim 28 depends indirectly from claim 16. In addition to requiring both the location and velocity components of claim 1 and 16, claim 28 further requires the controller to activate the hands-free only mode of the mobile terminal whenever it registers with the base station. The controller activates the hands-free only mode upon registering with the base station if the mobile terminal traveling at a velocity that exceeds a predetermined speed while proximate a hands-free zone. For reference, claim 28 appears below in its entirety, as well as its intervening claims 20 and 22.

20. The system of claim 16 wherein the mobile terminal comprises a controller configured to activate the hands-free only mode in the mobile terminal based on the proximity of the mobile terminal to the hands-free zone, and based on whether the velocity of the mobile terminal exceeds a predetermined threshold while proximate the hands-free zone.

22. The system of claim 20 wherein the controller activates the hands-free only mode responsive to signals received from the base station.

28. The system of claim 22 wherein the controller activates the hands-free only mode when the mobile terminal registers with the base station.

The Examiner rejected claim 28 over Willner in view of Furuta and Hunzinger.

Hunzinger discloses a wireless system that allows users of a wireless mobile terminal to set a reminder or an alert. The reminders/alerts are triggered for the user when the user hands-off to a new base station. Specifically, a voice memo regarding the reminder is rendered to the user whenever the reminder/alert is triggered. *Hunzinger*, p. 1, ¶ 0006. The Examiner reasons that handoffs between base stations inherently mean that the mobile terminal registers with the base station. The Examiner then postulates that because Hunzinger teaches checking the direction of travel, Hunzinger teaches a controller that activates a hands-free only mode when the mobile terminal registers with the base station. *Final Office Action*, p. 22, ln. 23 – p. 23, ln. 4.

This reasoning is both disjointed and incorrect. Claim 28 does not require the user to set any reminders or alerts at a base station to cause the mobile terminal to enter a hands-free only mode. Rather, the controller of claim 28 activates the hands-free only mode upon registering with the base station if the mobile terminal is traveling at a velocity that exceeds a predetermined speed while proximate the hands-free zone. The user has nothing to do with whether the mobile terminal enters a hands-free only mode under the claimed circumstances. The Examiner's assertions regarding the teachings of Hunzinger are simply irrelevant to claim 28 and unsupported by Hunzinger.

However, even assuming *arguendo* that the reminders and/or alerts in Hunzinger could be used to place the mobile terminal in a hands-free only mode (which they are not), those teachings are inapposite to both Willner and Furuta. Both Willner and Furuta teach their respective methods to assist users that are unaware of the local hands-free laws. Therefore, the users in both Willner and Furuta would necessarily be ignorant of the fact that a reminder is even needed at a particular base station in a particular jurisdiction. Hunzinger, in contrast, requires that the user be aware of such matters in order to set the disclosed reminders and alerts.

The Examiner never addresses this fundamental difference in the Office Action, but simply asserts that it would have been obvious because the Hunzinger base stations can take particular location-based actions. *Final Office Action*, p. 23, ll. 5-9. This proffered motivation is conclusory as it ignores what the references actually teach. These sorts of naked, unsubstantiated assertions have repeatedly been rejected by the Federal Circuit. As in *Lee*:

The examiner's conclusory statements that ...do not adequately address the issue of motivation to combine. This factual question of motivation is material to patentability, and could not be resolved on subjective belief and unknown authority...Thus, the Board must not only assure that the requisite findings are made, based on evidence of record, but must also explain the reasoning by which the findings are deemed to support the agency's conclusion.

In re Lee, 61 U.S.P.Q. 2d 1430,1434 (Fed. Cir. 2002) (emphasis added).

The conclusory statement offered by the Examiner is woefully inadequate with respect to addressing the issue of motivation to combine. As such, it fails to fulfill the legal requirements set forth by law. The Hunzinger reference does not teach what the Examiner says it does. Moreover, nothing in any of the Willner, Furuta, and Hunzinger references would lead one skilled in the art to combine them. Accordingly, claim 28 is patentably non-obvious over the cited art.

F. Willner, Furuta, and Hunzinger, alone and in combination, fail to render claim 29 obvious.

Claim 29 depends indirectly from claim 16. Claim 29 further requires the controller to activate the hands-free only mode of the mobile terminal upon handoff if the mobile terminal traveling at a velocity that exceeds a predetermined speed while proximate a hands-free zone. For reference, claim 29 appears below in its entirety, as well as its intervening claims 20 and 22.

20. The system of claim 16 wherein the mobile terminal comprises a controller configured to activate the hands-free only mode in the mobile terminal based on the proximity of the mobile terminal to the hands-free zone, and based on whether the velocity of the mobile terminal exceeds a predetermined threshold while proximate the hands-free zone.

22. The system of claim 20 wherein the controller activates the hands-free only mode responsive to signals received from the base station.

29. The system of claim 22 wherein the controller activates the hands-free only mode upon hand-off of the mobile terminal to the base station.

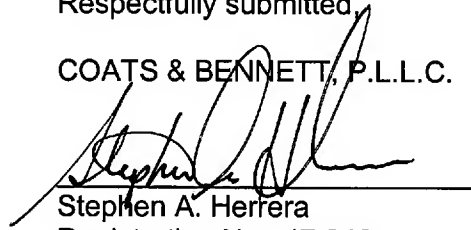
The Examiner rejected claim 29 as being obvious over Willner in view of Furuta and Hunzinger citing substantially the same reasons as those put forth for claim 28. Claim 29 differs from claim 28 only in that claim 29 requires activating the hands-free only mode upon hand-off. For reasons similar to those stated with respect to claim 28, claim 29 is patentably non-obvious over the cited art.

Conclusion

For the reasons set forth above, none of the references teaches or suggests, alone or in combination, any of the rejected claims. Further, the motivations to combine the various references as put forth by the Examiner fail to pass the requisite legal bar. Accordingly, all claims being appealed herein are patentable over the cited art. The Board is respectfully requested to overturn all rejections.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

A handwritten signature in black ink, appearing to read "Stephen A. Herrera", is written over a horizontal line.

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(8) CLAIMS APPENDIX

1. A mobile terminal comprising:

a transceiver to transmit signals to and receive signals from a wireless communications network;

a hands-free device to allow the user to place and receive calls in a hands-free only mode; and

a controller operatively connected to the transceiver and the hands-free device, and configured to:

determine whether a mobile terminal is proximate a hands-free zone;

indicate to the user whether the mobile terminal is proximate the hands-free zone based on a current location of the mobile terminal;

determine a velocity of the mobile terminal;

activate the hands-free only mode to permit the user to place and receive calls using the hands-free device if the velocity of the mobile terminal is greater than a predetermined threshold while the mobile terminal is proximate the hands-free zone; and

de-activate the hands-free only mode to permit the user to place and receive calls without using the hands-free device if the velocity of the mobile terminal is not greater than a predetermined threshold while the mobile terminal is proximate the hands-free zone.

2. The mobile terminal of claim 1 further comprising a GPS receiver to provide the current location of the mobile terminal.

3. The mobile terminal of claim 1 wherein the wireless communications network provides the current location of the mobile terminal.
4. The mobile terminal of claim 1 wherein the wireless communications network provides coordinates defining the boundary of the hands-free zone.
5. The mobile terminal of claim 1 wherein the controller is configured to compare the current location of the mobile terminal to a location indicative of the hands-free zone.
6. The mobile terminal of claim 5 further comprising memory to store the location indicative of the hands-free zone.
7. The mobile terminal of claim 1 wherein the controller is configured to activate the hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone.
8. The mobile terminal of claim 7 wherein the controller activates the hands-free only mode responsive to signals received from the wireless communications network.
9. The mobile terminal of claim 7 wherein the controller activates the hands-free only mode when the mobile terminal enters the hands-free zone.
10. The mobile terminal of claim 7 wherein the controller activates the hands-free only mode when a user of mobile terminal places or receives a call.
11. The mobile terminal of claim 1 wherein the controller is configured to deactivate the hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone.

12. The mobile terminal of claim 11 wherein the controller deactivates the hands-free only mode responsive to signals received from the wireless communications network.

13. The mobile terminal of claim 11 wherein the controller deactivates the hands-free only mode when the mobile terminal leaves the hands-free zone.

14. (Cancelled).

15. The mobile terminal of claim 1 wherein the hands-free device comprises a hands-free headset.

16. A wireless communications system comprising:

a base station to communicate within a geographical area identified as being a hands-free zone;

a mobile site controller connected to the base station; and

a mobile terminal to communicate with the base station in a hands-free only mode based on the proximity of the mobile terminal to the hands-free zone, and based on a velocity of the mobile terminal.

17. The system of claim 16 further comprising a location server connected to the base station to provide a current location of the mobile terminal.

18. The system of claim 17 wherein the location server further provides a location of the hands-free zone to the mobile terminal.

19. The system of claim 16 wherein the mobile terminal comprises a GPS receiver to provide a current location of the mobile terminal.

20. The system of claim 16 wherein the mobile terminal comprises a controller configured to activate the hands-free only mode in the mobile terminal based on the proximity of the mobile terminal to the hands-free zone, and based on whether the velocity of the mobile terminal exceeds a predetermined threshold while proximate the hands-free zone.

21. The system of claim 20 wherein the controller compares the current location of the mobile terminal to a location indicative of the hands-free zone.

22. The system of claim 20 wherein the controller activates the hands-free only mode responsive to signals received from the base station.

23. The system of claim 20 wherein the controller activates the hands-free only mode when the mobile terminal enters the hands-free zone.

24. The system of claim 16 wherein the mobile terminal comprises a controller configured to deactivate the hands-free only mode in the mobile terminal based on the proximity of the mobile terminal to the hands-free zone, and based on whether the velocity of the mobile terminal exceeds a predetermined threshold while proximate the hands-free zone.

25. The system of claim 24 wherein the controller compares the current location of the mobile terminal to a location indicative of the hands-free zone.

26. The system of claim 24 wherein the controller deactivates the hands-free only mode responsive to signals received from the base station.

27. The system of claim 24 wherein the controller deactivates the hands-free only mode when the mobile terminal leaves the hands-free zone.

28. The system of claim 22 wherein the controller activates the hands-free only mode when the mobile terminal registers with the base station.

29. The system of claim 22 wherein the controller activates the hands-free only mode upon hand-off of the mobile terminal to the base station.

30. A method of controlling a mobile terminal operating in a wireless communications network comprising:

- determining a current location of a mobile terminal;

- indicating to a user whether the mobile terminal is proximate a hands-free zone based on the current location of the mobile terminal and a location indicative of the hands-free zone;

- determining a velocity of the mobile terminal;

- activating a hands-free only mode of the mobile terminal if the velocity of the mobile terminal is equal to or exceeds a predetermined threshold while the mobile terminal is proximate the hands-free zone; and

- deactivating the hands-free only mode of the mobile terminal if the velocity of the mobile terminal is less than the predetermined threshold while the mobile terminal is proximate the hands-free zone.

31. The method of claim 30 wherein the mobile terminal computes the current location responsive to location signals received over a GPS receiver.
32. The method of claim 30 further comprising the mobile terminal receiving the current location from a base station in the wireless communications network.
33. The method of claim 30 further comprising determining the proximity of the current location of the mobile terminal to the location indicative of the hands-free zone.
34. The method of claim 33 further comprising comparing the current location of the mobile terminal to the location indicative of the hands-free zone.
35. The method of claim 30 further comprising determining a distance of the mobile terminal from the location indicative of the hands-free zone, and indicating whether the mobile terminal is proximate the hands-free zone based on the distance.
36. The method of claim 30 further comprising determining a direction of travel of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the direction of travel.
37. The method of claim 30 further comprising indicating whether the mobile terminal is proximate the hands-free zone based on the velocity of the mobile terminal.
38. The method of claim 30 wherein indicating the proximity of the mobile terminal to the hands-free zone comprises rendering an audible sound over a speaker of the mobile terminal.

39. The method of claim 30 wherein indicating the proximity of the mobile terminal to the hands-free zone comprises displaying a text message over a display of the mobile terminal.

40. The method of claim 30 wherein indicating the proximity of the mobile terminal to the hands-free zone comprises activating a visual indicator on the mobile terminal.

41. The method of claim 30 further comprising activating the hands-free only mode when the mobile terminal enters the hands-free zone.

42. The method of claim 41 further comprising deactivating the hands-free only mode when the mobile terminal leaves the hands-free zone.

(9) EVIDENCE APPENDIX

There is no further evidence.

(10) RELATED PROCEEDINGS APPENDIX

There are no related proceedings.